

REMARKS

Applicants thank the Examiner for the indication that claims 13, 15-21, 25-27, 29, 32-34, 40, 47-49, 57-60, 63 and 65 are allowed. Applicants also thank the Examiner for the indication that claims 6, 12, 35-37 and 62 contain allowable subject matter.

After entry of the foregoing amendments, claims 1, 3-10, 12, 13, 15-21, 25-27, 29, 32-38, 40, 42, 46-60, and 62-65 are currently pending. Claims 1, 6, 42, 56 and 64 have been amended. Support for the amendments to claims 1 and 6 can be found in the original claims and throughout the specification. Claims 42, 56 and 64 have been amended for clarification purposes only and in the interest of advancing prosecution. No new matter is added by these amendments.

Section 112, First Paragraph Rejections

Claims 1, 3-5, 7-10, 38, 42, and 46 stand rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Applicants have amended claim 1 to more clearly define the claimed invention thereby obviating the Examiner's concerns regarding possession of the claimed invention. Applicants therefore request that the rejection be withdrawn.

Section 112, Second Paragraph Rejections

Claim 42 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. For purposes of clarity, applicants have amended claim 42 to delete all references to formula "Ia" or "Ib," instead claiming the structural formulas in the alternative. Therefore, Applicants request that the rejection be withdrawn.

Claims 56 and 64 stand rejected under 35 U.S.C. § 112, second paragraph, as being vague and indefinite for failing to conclude with a period. Periods have been added to claims 56 and 64. Therefore, Applicants request that the rejection be withdrawn.

Provisional Obviousness-Type Double Patenting Rejection

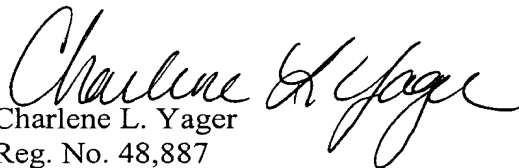
U.S. Application Serial No. 10/021,213

Claims 38, 50-55, and 64 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1, 2, 4, 5, and 10 of copending Application No. 10/021,213. Submitted herewith is a terminal disclaimer signed by Applicants' undersigned representative, which disclaims the terminal part of the statutory term of any patent granted on the instant application that would extend beyond the full term of any patent granted on Application No. 10/021,213. Therefore, Applicants request that the rejection be withdrawn.

CONCLUSION

In view of the foregoing, Applicants respectfully submit that the claims as amended are in condition for allowance. The Examiner is invited to contact the undersigned by telephone should any issues remain with respect to the application.

Respectfully submitted,


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